

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ AUG 13 2015 ★

BROOKLYN OFFICE

X  
ANTHONY BELFIORE, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

ORDER  
14-CV-4090

-against-

THE PROCTER & GAMBLE COMPANY,

Defendant.

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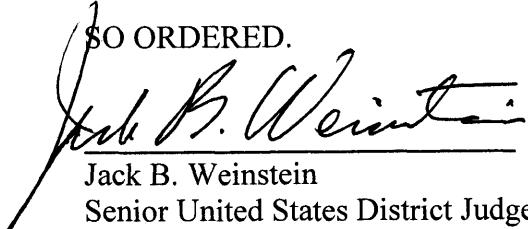
**JACK B. WEINSTEIN, Senior United States District Judge:**

By August 26, 2015, the parties shall supply briefs with respect to the application, to the instant case, of NYCPLR section 901(b):

*Unless a statute creating or imposing a penalty, or a minimum measure of recovery specifically authorizes the recovery thereof in a class action, an action to recover a penalty, or minimum measure of recovery created or imposed by statute may not be maintained as a class action.*

*See Shady Grove Orthopedic Associates, P.A. v. Allstate Ins. Co., 559 U.S. 393 (2010) (majority, concurrence and dissent). Courtesy hard copies shall be promptly provided to the court.*

SO ORDERED.

  
\_\_\_\_\_  
Jack B. Weinstein

Senior United States District Judge

August 12, 2015  
Brooklyn, New York